

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Board of Patent Appeals and Interferences

Atty Dkt. BJS-4982-13

In re Patent Application of

SANZ MOLINERO

Serial No. 10/553,656

Filed: October 14, 2005

Title: PLANTS HAVING MODIFIED GROWTH CHARACTERISTICS AND METHOD FOR
MAKING THE SAME

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

C# M#
Confirmation No. 5797
TC/A.U.: 1632

Examiner: Kumar

Date: Monday, December 22, 2008

Sir:

Correspondence Address Indication Form Attached.

NOTICE OF APPEAL

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the Examiner twice/finally rejecting \$540.00 (1401)/\$270.00 (2401) \$ 270.00 applicant's claim(s).

- An appeal **BRIEF** is attached in the pending appeal of the above-identified application \$540.00 (1402)/\$270.00 (2402) \$
- Credit for fees paid in prior appeal without decision on merits -\$ ()
- A reply brief is attached. (no fee)
- Pre-Appeal Brief Request for Review form attached.
- Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s)
- | | |
|------------------------|--|
| One Month Extension | \$130.00 (1251)/\$65.00 (2251) |
| Two Month Extensions | \$490.00 (1252)/\$245.00 (2252) |
| Three Month Extensions | \$1110.00 (1253)/\$555.00 (2253) |
| Four Month Extensions | \$1730.00 (1254)/\$865.00 (2254) \$ 555.00 |
- "Small entity" statement attached.
- Less month extension previously paid on -\$ ()

TOTAL FEE PAID ELECTRONICALLY BY CREDIT CARD \$ 825.00

CREDIT CARD PAYMENT FORM ATTACHED.

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**.

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BJS:

NIXON & VANDERHYE P.C.
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: _____ /B. J. Sadoff/